

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/915,398	MOCHIMARU ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Mark R. Milia	2622	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment received on 10/17/05.
2. ☒ The allowed claim(s) is/are 1-100.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

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| <ol style="list-style-type: none"> <li>1. <input type="checkbox"/> Notice of References Cited (PTO-892)</li> <li>2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</li> <li>3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br/>Paper No./Mail Date _____</li> <li>4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br/>of Biological Material</li> </ol> | <ol style="list-style-type: none"> <li>5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)</li> <li>6. <input type="checkbox"/> Interview Summary (PTO-413),<br/>Paper No./Mail Date _____</li> <li>7. <input type="checkbox"/> Examiner's Amendment/Comment</li> <li>8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance</li> <li>9. <input type="checkbox"/> Other _____</li> </ol> |
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 Mark R. Milia  
 Examiner

## **DETAILED ACTION**

### ***Response to Amendment***

1. Applicant's amendment was received on 10/17/05 and has been entered and made of record. Currently, claims 1-100 are pending.

### ***Priority***

2. Applicant's arguments regarding the denial of the request for priority of JP2001-185475 are persuasive. Therefore the priority of JP2001-185475 is granted.

### ***Oath/Declaration***

3. Applicant's arguments regarding the rejection of the Oath/Declaration are persuasive and therefore the rejection is withdrawn.

### ***Drawings***

4. Applicant's amendment to Figs. 4 and 11 and to the specification to insert a description for a missing reference character overcome the objection to the Drawings as cited in the previous Office Action. Therefore the objection has been withdrawn.

***Response to Arguments***

5. Applicant's arguments, see pages 30-33, filed 10/17/05, with respect to claims 1-100, more specifically claims 1, 21, 50, 70, and 99, have been fully considered and are persuasive. The rejection of claims 1-100 has been withdrawn. Particularly, the examiner agrees that the combination of Haneda and Underwood fail to disclose the newly added limitation, when a double-sided recording mode has been selected and either a first ejection tray or a second ejection tray have been selected, the recording sheet follows a same transporting path to the selected ejection tray as the recording sheet follows in a single-sided recording mode.

***Allowable Subject Matter***

6. Claims 1-100 are allowed.
7. The following is an examiner's statement of reasons for allowance: The examiner believes it would not have been obvious to one of ordinary skill in the art at the time the invention was made to combine the automatic recording of toner images when a double-sided printing mode is selected, such that regardless of whether a first ejection tray or a second ejection tray is selected, output of sheets will be in increasing order of page numbers, wherein a first toner image will be recorded on the first page and the second toner image will be recorded on a second page if the ejection tray that outputs in

a reversed orientation has been selected and the first toner image will be recorded on a second page and the second toner image will be recorded on the first page when an ejection tray that outputs in a straight or forward orientation is selected, and regardless of whether a first or second ejection tray is selected, the recording sheet will follow the same transporting path to the selected ejection tray as the recording sheet follows in a single-sided recording mode, with the other limitations as recited in the claims.

The closest prior art, previously noted as Haneda et al. (US 5991563) discloses a system that forms toner images on both sides of a recording sheet at approximately the same time. However, Haneda fails to disclose more than one ejection tray and as such the transport path is always the same regardless of whether single-sided or double-sided printing is selected. There is no suggestion in Haneda to have more than one ejection tray and therefore no teaching or suggestion that depending on the ejection tray that has been selected to perform recording of toner images in a particular manner as recited in the applicant's claims.

Therefore, for these reasons, the claims are rendered allowable.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

**Conclusion**


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark R. Milia whose telephone number is (571) 272-7408. The examiner can normally be reached M-F 8:00am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles can be reached at (571) 272-7402. The fax number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mark R. Milia  
Examiner  
Art Unit 2622

MRM

  
EDWARD COLES  
SUPERVISOR  
10/20/2009